

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:04CR53
)
v.)
)
COREY SPIGNER,) ORDER
)
Defendant.)
)

This matter is before the Court on defendant's motion for modification of sentence under 18 § 3582(c) (2) Fair Sentence Act Amendment 750 Retroactivity (Filing No. 83), and motion for appointment of counsel (Filing No. 84). The Court has reviewed defendant's motion for modification of sentence and notes that defendant was sentenced to a statutory mandatory minimum sentence of ten (10) years. Therefore, defendant is not eligible for a sentence modification under the revised crack cocaine guidelines. The Court will also deny defendant's motion for appointment of counsel. Accordingly,

IT IS ORDERED:

1) Defendant's motion for modification of his sentence is denied.

2) Defendant's motion for appointment of counsel is denied.

DATED this 31st day of August, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court